



# Journal of the Senate

State of Indiana

121<sup>st</sup> General Assembly

Second Regular Session

Fourth Meeting Day

Thursday Morning

January 9, 2020

The Senate convened at 10:16 a.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chris Monaghan, Senior Leader at Gateway Church in Richmond.

The Pledge of Allegiance to the Flag was led by Senator Jeffery S. Raatz.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M. <input type="checkbox"/>
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon <input type="checkbox"/>	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms <input type="checkbox"/>	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 5: present 47; excused 3. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

## INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

### **SB 0005** — Charbonneau (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

### **SB 0074** — Tomes (Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

### **SB 0137** — Lanane (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

### **SB 0234** — Raatz (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

### **SB 0235** — Alting (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

### **SB 0236** — Young M (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

### **SB 0237** — Brown L (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

### **SB 0238** — Brown L (Family and Children Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

### **SB 0239** — Brown L (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

### **SB 0240** — Brown L (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

### **SB 0241** — Brown L (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

### **SB 0242** — Brown L (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

### **SB 0243** — Brown L (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

### **SB 0244** — Brown L (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

### **SB 0245** — Sandlin (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

- SB 0246** — Crider (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0247** — Niemeyer (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.
- SB 0248** — Niemeyer (Environmental Affairs)  
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.
- SB 0249** — Young M (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0251** — Ford J.D. (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.
- SB 0252** — Ford J.D. (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.
- SB 0253** — Ford J.D. (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning property.
- SB 0254** — Charbonneau, Koch, Glick (Utilities)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.
- SB 0255** — Charbonneau (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning health.
- SB 0256** — Koch (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- SB 0257** — Koch (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.
- SB 0258** — Koch (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0259** — Spartz (Family and Children Services)  
A BILL FOR AN ACT concerning family law and juvenile law.
- SB 0260** — Spartz (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning local government.
- SB 0261** — Spartz (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0262** — Busch (Tax and Fiscal Policy)  
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.
- SB 0265** — Donato (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.
- SB 0266** — Donato (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0267** — Bohacek (Family and Children Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning family and social services and to make an appropriation.
- SB 0268** — Ford Jon (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 0269** — Ford Jon (Pensions and Labor)  
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.
- SB 0270** — Ford Jon (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0271** — Ford Jon (Homeland Security and Transportation)  
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.
- SB 0272** — Ford Jon (Commerce and Technology)  
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.
- SB 0273** — Crider (Health and Provider Services)  
A BILL FOR AN ACT to amend the Indiana Code concerning human services.
- SB 0274** — Lanane (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.
- SB 0275** — Lanane (Education and Career Development)  
A BILL FOR AN ACT to amend the Indiana Code concerning education.
- SB 0276** — Lanane (Environmental Affairs)  
A BILL FOR AN ACT concerning industrial and economic development.
- SB 0277** — Lanane (Corrections and Criminal Law)  
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.
- SB 0278** — Lanane (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0279** — Lanane (Judiciary)  
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.
- SB 0280** — Breaux (Elections)  
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 0281** — Breaux (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 0282** — Breaux (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 0283** — Breaux (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**SB 0284** — Breaux (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 0285** — Breaux (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 0286** — Breaux (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 0287** — Breaux (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

**SB 0288** — Doriot (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**SB 0289** — Grooms (Family and Children Services)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

**SB 0290** — Grooms (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 0291** — Grooms (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 0292** — Sandlin (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**SB 0294** — Ruckelshaus (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 0295** — Raatz (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 0296** — Raatz (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**SB 0297** — Leising (Education and Career Development)

A BILL FOR AN ACT concerning education.

**SB 0298** — Leising (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

**SB 0299** — Brown L (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**SB 0300** — Brown L (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**SB 0301** — Tallian (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 0302** — Tallian (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

**SB 0303** — Tallian (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**SB 0304** — Tallian (Elections)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

**SB 0305** — Tallian (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**SB 0306** — Tallian (Appropriations)

A BILL FOR AN ACT concerning state and local administration and to make an appropriation.

**SB 0307** — Tomes (Veterans Affairs and The Military)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

**SB 0308** — Niezgodski (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

## RESOLUTIONS ON FIRST READING

### Senate Resolution 5

Senate Resolution 5, introduced by Senator Tallian:

A SENATE RESOLUTION urging Indiana Attorney General Curtis Hill to withdraw Indiana from a lawsuit which is attempting to nullify the Affordable Care Act (ACA) and end federal funding for the Healthy Indiana Plan (HIP) 2.0.

*Whereas, Indiana, under the direction of Attorney General Curtis Hill, involved Indiana in the Texas v. Azar lawsuit;*

*Whereas, In a ruling in Texas v. Azar on Wednesday, December 18, 2019, the 5th Circuit Court of Appeals ruled the Affordable Care Act's (ACA) individual mandate*

*unconstitutional, but failed to rule the entirety of the ACA unconstitutional, sending the lawsuit back to the lower court;*

*Whereas, Attorney General Hill's and Indiana's participation in this lawsuit is threatening Hoosiers' health care and Indiana's health insurance program, the Healthy Indiana Plan (HIP) 2.0;*

*Whereas, HIP 2.0 expanded coverage to more than 400,000 Hoosiers and HIP members accessed primary and preventative care at greater than anticipated rates, including screenings for breast and cervical cancer;*

*Whereas, Nullifying the ACA would mean Indiana losing \$800 million a year in federal funding for HIP 2.0 coverage while removing healthcare choices for Hoosiers;*

*Whereas, The successful enrollment levels of HIP 2.0 and access to prevention programs reduces the cost burden to all Hoosiers of uncovered healthcare services;*

*Whereas, If the ACA is completely struck down, it will leave hundreds of thousands of Hoosiers who rely on HIP 2.0 unable to receive affordable health care coverage and provisions allowing children to remain on their parents' policy until age 26, mandating coverage for pre-existing conditions, and requiring coverage of essential health benefits will also be gone;*

*Whereas, Hoosier tax dollars are being utilized in a lawsuit that seeks to take away Hoosiers' health care;*

*Whereas, Governor Holcomb's administration has already submitted paperwork with the federal government to extend the HIP 2.0 program for several years; and*

*Whereas, Attorney General Hill has no plan or authority to offer other health care options for Hoosiers: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate urges Indiana Attorney General Curtis Hill to withdraw Indiana from Texas v. Azar and to end his attacks on HIP 2.0 and Hoosiers' healthcare.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the office of Attorney General Curtis Hill.

The resolution was read in full and referred to the Committee on Judiciary.

## REPORTS FROM COMMITTEES

### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 10, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 16, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

(1) The specific statute that was violated.

(2) The class or level of the felony had the violation been committed by an adult.

(b) **If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3."**

Delete page 2.

Page 3, delete lines 1 through 4.

(Reference is to SB 16 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 21, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "physician's" and insert "**advanced practice registered nurse, physician**".

(Reference is to SB 21 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

### COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 25, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

Page 5, line 4, delete "June 30, 2020." and insert "**December 31, 2012.**".

Page 5, delete lines 24 through 26, begin a new paragraph and insert:

**"Sec. 5. (a) The final determination of an impairment for a mental illness is provisional for two (2) years:**

**(1) for a final determination made after June 30, 2020, from the date of the final determination by the system board under IC 36-8-8-13.1; or**

**(2) for a final determination made after December 31, 2012, and before July 1, 2020, beginning July 1, 2020."**

(Reference is to SB 25 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

BOOTS, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 39, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 7, after "court." insert "**A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges.**".

Page 3, after line 3, begin a new paragraph and insert:

"SECTION 2. IC 9-30-16-3.5, AS AMENDED BY P.L.46-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) If a court imposes a suspension of driving privileges under IC 9-21-5-11(f), the court may stay the suspension and grant a specialized driving privilege as set forth in this section.

(b) Except as provided in subsection (g), specialized driving privileges granted under this section shall be granted for ~~sixty (60) days, or the remainder of the sixty (60) day period of suspension as set forth in IC 9-30-13-9(b)(2) if a petition for specialized driving privileges is filed in the manner set forth under subsection (f):~~ **a period of time as determined by the court. A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges.**

(c) Specialized driving privileges granted under this section:

- (1) must be determined by a court; and
- (2) are limited to restricting the individual to being allowed to operate a motor vehicle between the place of employment of the individual and the individual's residence.

(d) An individual who has been granted specialized driving privileges under this section shall:

- (1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges;
- (2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated

by the individual;

- (3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and
- (4) carry a validly issued driver's license.

(e) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate a motor vehicle that requires the individual to hold a commercial driver's license to operate the motor vehicle.

(f) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must:

- (1) be verified by the petitioner;
- (2) state the petitioner's age, date of birth, and address;
- (3) state the grounds for relief and the relief sought;
- (4) be filed in the court that ordered or imposed the suspension; and
- (5) be served on the bureau and the prosecuting attorney.

A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection.

(g) Whenever a suspension of an individual's driving privileges under this chapter is terminated because:

- (1) the underlying conviction, judgment, or finding that forms the basis of the suspension is reversed, vacated, or dismissed; or
- (2) the individual is acquitted of, found not liable for, or otherwise found not to have committed the underlying act or offense that forms the basis of the suspension;

the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated.

(h) The court shall inform the bureau of a termination of a suspension of driving privileges and expiration of specialized driving privileges as described under subsection (g) in a format designated by the bureau."

(Reference is to SB 39 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 69, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "A:" and insert "A".

Page 1, delete lines 10 through 11.

Page 1, line 12, delete "(B)".

Page 1, line 13, delete ";" and insert ",".

Page 1, line 14, delete "qualified law enforcement officer or".

Page 1, line 16, delete "18 U.S.C. 926B or".

Page 1, run in lines 9 through 16.

(Reference is to SB 69 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KOCH, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 72, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 127, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 21-17-5-6, AS AMENDED BY P.L.107-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Whenever a police officer retires after at least twenty (20) years of service, the police officer may retain the officer's service weapon. The officer is entitled to receive, in recognition of the service to the educational institution and the public, a badge that indicates that the officer is retired. Upon retirement, the state police department shall issue to the police officer an identification card that:

- (1) states the police officer's name and rank at retirement;
- (2) states the officer's retired status; and
- (3) notes the officer's authority to retain the service weapon.

A retired police officer described in this section is entitled to a lifetime license to carry a handgun as described under ~~IC 35-47-2-3(f)~~. **IC 35-47-2-3(g).**

SECTION 2. IC 35-31.5-2-185, AS AMENDED BY P.L.238-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 185. (a) "Law enforcement officer" means:

- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney,

- the securities commissioner, or the inspector general;
- (2) a deputy of any of those persons;
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer;
- (5) an enforcement officer of the alcohol and tobacco commission;
- (6) an enforcement officer of the securities division of the office of the secretary of state; or
- (7) a gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20.

(b) "Law enforcement officer", for purposes of IC 35-42-2-1, includes an alcoholic beverage enforcement officer, as set forth in IC 35-42-2-1.

(c) "Law enforcement officer", for purposes of IC 35-45-15, includes a federal enforcement officer, as set forth in IC 35-45-15-3.

(d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and IC 35-44.1-3-2, includes a school resource officer (as defined in IC 20-26-18.2-1) and a school corporation police officer appointed under IC 20-26-16.

**(e) "Law enforcement officer", for purposes of IC 35-47-15-3, means a person described in subsections (a) through (d).**

SECTION 3. IC 35-47-2-3, AS AMENDED BY P.L.107-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person desiring a license to carry a handgun shall apply:

- (1) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides;
- (2) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent; or
- (3) if the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system.

(b) This subsection applies before July 1, 2020. The law enforcement agency which accepts an application for a handgun license shall collect the following application fees:

- (1) From a person applying for a four (4) year handgun license, a ten dollar (\$10) application fee, five dollars (\$5) of which shall be refunded if the license is not issued.
- (2) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar (\$50) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.
- (3) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar (\$40) application fee, thirty dollars (\$30) of

which shall be refunded if the license is not issued.

Except as provided in subsection ~~(i)~~, **(j)**, the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) This subsection applies after June 30, 2020. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees:

- (1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar (\$50) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.
- (2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar (\$40) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.

Except as provided in subsection ~~(i)~~, **(j)**, the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

~~(d) The officer to whom the application is made shall ascertain the~~ **A person desiring a license to carry a handgun shall provide the following information to the appropriate person described under subsection (a):**

- (1) The applicant's:**
  - (A)** name;
  - (B)** full address; **and**
  - (C)** length of residence in the community; **and, if applicable**, whether the applicant's residence is located within the limits of any city or town.
- (2)** The applicant's occupation **and** place of business or employment.
- (3) If applicable, the applicant's criminal record, if any; and including all convictions (minor traffic offenses excepted).**
- (4) The applicant's:**
  - (A)** age;
  - (B)** race;
  - (C)** sex;
  - (D)** nationality;
  - (E)** date of birth;
  - (F)** citizenship;
  - (G)** height;

- (H)** weight;
- (I)** build;
- (J)** color of hair;
- (K)** color of eyes; **and**
- (L)** scars and marks, **if applicable**.

**(5)** Whether the applicant has previously held an Indiana license to carry a handgun and if so the **following information:**

- (A)** ~~The~~ serial number of the license. ~~and~~
- (B)** ~~The year issued;~~ **of issuance of the license.**
- (C)** Whether the applicant's license has ever been suspended or revoked. ~~and if so;~~
- (D)** The year and reason for ~~the any~~ suspension or revocation ~~and the applicant's reason for desiring a license; described under clause (C).~~

**(6) For an application submitted after December 31, 2020:**

- (A) a certificate signifying that the person has successfully completed a handgun safety and training program that meets the requirements set forth in section 3.5 of this chapter; or**
- (B) documentary evidence that the person is exempt under section 3.5(d) of this chapter from the handgun safety and training program requirement because the person is a law enforcement officer, a retired law enforcement officer, or an active or honorably discharged member of the armed forces of the United States. The state police department shall determine what documentary evidence is sufficient to establish an exemption under this clause.**

**(e)** If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the **applicant's following information about the applicant:**

- (1)** Country of citizenship.
- (2)** Place of birth. ~~and~~
- (3)** Any alien or admission number issued by:
  - (A)** the United States Citizenship and Immigration Services; ~~or~~
  - (B)** the United States Customs and Border Protection; ~~or~~
  - (C)** any successor agency as applicable.

The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.

~~(f)~~ **(f)** The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application

is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

~~(f)~~ **(g)** If it appears to the superintendent that the applicant:

~~(1)~~ **(1)** has a proper reason for carrying a handgun;

~~(2)~~ **(2)** is of good character and reputation;

~~(3)~~ **(3)** is a proper person to be licensed; and

~~(4)~~ **(4)** is:

(A) a citizen of the United States; or

(B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least five (5) years in the case of a five (5) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A five (5) year license shall be valid for a period of five (5) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

~~(g)~~ **(h)** At the time a license is issued and delivered to a licensee under subsection ~~(f)~~, **(g)**, the superintendent shall include with the license information concerning handgun safety rules that:

(1) neither opposes nor supports an individual's right to bear arms; and

(2) is:

(A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;

(B) prepared by the state police department; and

(C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

~~(h)~~ **(i)** A license to carry a handgun shall not be issued to any person who:

(1) has been convicted of a felony;

(2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;

(3) is under eighteen (18) years of age;

(4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult;

(5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after

June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; or

(6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g).

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

~~(i)~~ **(j)** If the law enforcement agency that charges a fee under subsection (b) or (c) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

~~(j)~~ **(k)** If a person who holds a valid license to carry a handgun issued under this chapter:

(1) changes the person's name;

(2) changes the person's address; or

(3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

~~(k)~~ **(l)** The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection ~~(j)~~ **(k)**.

~~(l)~~ **(m)** The state police department shall adopt rules under IC 4-22-2 to:

(1) implement an electronic application system under subsection (a); and

(2) expedite the processing of an application made by a person described in section 2.1(b) of this chapter.

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

~~(m)~~ **(n)** Except as provided in subsection ~~(n)~~ **(o)**, for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

(A) obtain; or

(B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:

(A) obtain; or

(B) renew;



a license to carry a handgun issued under this chapter.

(3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.

~~(m)~~ **(o)** Notwithstanding subsection ~~(m)~~: **(n)**:

(1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a federal, state, or local government entity:

(A) for law enforcement purposes; or

(B) to determine the validity of a license to carry a handgun; and

(2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information.

~~(o)~~ **(p)** A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 4. IC 35-47-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Except as provided in subsection (d), a person who applies after December 31, 2020, for a license to carry a handgun must:

(1) successfully complete a handgun safety and training program that meets the requirements of this section; and

(2) certify under section 3(d)(6)(A) of this chapter the person's successful completion of the handgun safety and training program;

before a license to carry a handgun may be issued to the applicant under this chapter.

(b) A handgun safety and training program must meet the following requirements:

(1) The program must consist of at least eight (8) hours of instruction, as specified in this section.

(2) The:

(A) program must be certified by a state or national firearms training organization; and

(B) instructor must be:

(i) certified by a state or national firearms training organization; and

(ii) qualified to teach an eight (8) hour handgun safety and training program.

(3) The program must provide at least five (5) hours of instruction in the following:

(A) The safe storage, use, and handling of a handgun, including safe storage, use, and handling to protect child safety.

(B) Knowledge of ammunition.

(C) Handgun firing positions.

(D) Firearms and the law, including civil liability issues and the use of deadly force. The instruction in the subject described in this clause must be provided by an attorney or a person trained in the use of deadly force.

**(E) Avoiding a criminal attack and controlling a violent confrontation.**

**(F) All laws that apply to carrying a concealed handgun in Indiana.**

**(4) The program must:**

**(A) provide at least three (3) hours of instruction on a firing range; and**

**(B) require the firing of at least forty-five (45) rounds of ammunition.**

**(5) The program must provide to a person who successfully completes the program a certificate of completion stating that:**

**(A) the program complies with this section; and**

**(B) the person has successfully completed the program.**

The certificate must contain the printed name and signature of the instructor who instructed the person.

**(c) A person who grants a certificate of completion described in subsection (b)(5) to an individual knowing that the individual did not satisfactorily complete the program commits a Level 6 felony.**

**(d) The following individuals are not required to complete the handgun safety and training program described in this section:**

**(1) A law enforcement officer (as defined in IC 35-47-15-3).**

**(2) A retired law enforcement officer who is authorized to carry a weapon under IC 35-47-15.**

**(3) An active or honorably discharged member of the armed forces of the United States (as defined in IC 10-18-9-1).**

A person described in this subsection who applies after December 31, 2020, for a license to carry a handgun must submit documentary evidence showing that the person is exempt from the requirement to complete the handgun safety and training program under section 3(d)(6)(B) of this chapter if the person wishes to claim the exemption.

**(e) A person described in subsection (d) may, at the person's discretion, participate in the handgun safety and training program and obtain a license to carry a handgun on the same basis as a person not described in subsection (d).**

SECTION 5. IC 35-47-2-4, AS AMENDED BY P.L.107-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

(1) five (5) years from the date of issue in the case of a five (5) year license; or

(2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) This subsection applies before July 1, 2020. In addition to the application fee, the fee for:

- (1) a qualified license shall be:
  - (A) five dollars (\$5) for a five (5) year qualified license;
  - (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; or
  - (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and
- (2) an unlimited license shall be:
  - (A) thirty dollars (\$30) for a five (5) year unlimited license;
  - (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or
  - (C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

(c) This subsection applies after June 30, 2020. In addition to the application fee, the fee for:

- (1) a qualified license is:
  - (A) zero dollars (\$0) for a five (5) year qualified license;
  - (B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and
  - (C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and
- (2) an unlimited license is:
  - (A) zero dollars (\$0) for a five (5) year unlimited license;
  - (B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and
  - (C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

(d) Licensed dealers are exempt from the payment of fees specified in subsections (b) and (c) for a qualified license or an unlimited license.

(e) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in subsections (b) and (c):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.

(4) Correctional officers.

(f) The following officers described in section ~~3(f)~~ **3(g)** of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in subsections (b) and (c):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers of the United States government.

(g) Fees collected under this section shall be deposited in the state general fund.

(h) The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a five (5) year qualified license or a five (5) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

(i) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 6. IC 35-47-2-5, AS AMENDED BY P.L.107-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The superintendent may suspend or revoke any license issued under this chapter if the superintendent has reasonable grounds to believe that the person's license should be suspended or revoked.

(b) Documented evidence that a person is not a "proper person" to be licensed as defined by IC 35-47-1-7, or is prohibited under section ~~3(h)(5)~~ **(3)(i)(5)** of this chapter from being issued a license, shall be grounds for immediate suspension or revocation of a license previously issued under this chapter. However, if a license is suspended or revoked based solely on an arrest under section ~~3(h)(5)~~ **(3)(i)(5)** of this chapter, the license shall be reinstated upon the acquittal of the defendant in that case or upon the dismissal of the charges for the specific offense.

(c) A person who knowingly or intentionally fails to promptly return the person's license after written notice of suspension or revocation commits a Class A misdemeanor. The observation of a handgun license in the possession of a person whose license has been suspended or revoked constitutes a sufficient basis for the arrest of that person for violation of this subsection.

(d) The superintendent shall establish rules under IC 4-22-2 concerning the procedure for suspending or revoking a person's license.

SECTION 7. IC 35-47-15-3, AS AMENDED BY P.L.114-2012, SECTION 143, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "law enforcement officer" has the meaning set forth in ~~IC 35-31-5-2-185~~ **IC 35-31.5-2-185(e)**. The term includes an arson investigator employed by the office of the state fire marshal.

(Reference is to SB 127 as introduced.)  
and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

BRAY, Chair

Report adopted.

## COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-2-9.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

**Chapter 9.1. Cost Sharing for Prescription Drugs**

**Sec. 1.** As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

**Sec. 2.** As used in this chapter, "health plan" means a plan that is compliant with the PPACA and offered by an insurer to provide, deliver, arrange for, pay for, or reimburse the cost of health care items or services. The term includes the following:

- (1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).
- (2) An individual contract (as defined by IC 27-13-1-21) and a group contract (as defined by IC 27-13-1-16).

**Sec. 3.** As used in this chapter, "insurer" means an entity licensed in Indiana to issue a health plan.

**Sec. 4.** As used in this chapter, "PPACA" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended thereafter, including by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

**Sec. 5.** Except as provided in section 6 of this chapter, an insurer shall only offer health plans that:

- (1) do not require a covered individual to pay a deductible for covered prescription drugs; and
- (2) provide that the cost sharing requirement for a covered individual for any given prescription drug may not exceed the amount of the copayment or coinsurance specified in the health plan's summary of benefits and coverage.

**Sec. 6.** The health plan requirements imposed under section 5 of this chapter do not apply to any high deductible health plans, as defined by Section 223 of the Internal Revenue Code. High deductible health plans described in this section may not impose a deductible requirement with respect to any preventive care identified by the Internal Revenue Service in accordance with Section 223(c)(2)(C) of the Internal Revenue Code.

**Sec. 7.** In addition to any other sanction provided by law, the commissioner may impose a civil penalty against an insurer that violates this chapter.

**Sec. 8.** Nothing in this chapter may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this chapter are invalid or incapable of being enforced against an insurer or health plan

due to a conflict with federal requirements, the requirements of this chapter remain in full force and effect with respect to all insurers, health plans, and situations where no conflict exists.

SECTION 2. IC 27-8-5-33 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 33. (a)** As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under a policy of accident and sickness insurance to be paid by or on behalf of a covered individual for a covered health care service.

**(b)** As used in this section, "covered individual" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

**(c)** As used in this section, "health care service" means an item or service furnished to an individual to prevent, alleviate, cure, or heal human illness, injury, or physical disability. The term includes a prescription drug.

**(d)** As used in this section, "insurer" means an insurer that issues a policy of accident and sickness insurance. The term includes a person that administers health care service benefits on behalf of an insurer.

**(e)** As used in this section, "person" means an individual, entity, natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not for profit corporation, unincorporated organization, government, or governmental subdivision or agency.

**(f)** As used in this section, "policy of accident and sickness insurance" has the meaning set forth in section 1 of this chapter.

**(g)** As used in this section, "therapeutic equivalent" has the meaning set forth by the federal Food and Drug Administration in 21 CFR 314.3(b).

**(h)** Except as provided in subsection (i), when calculating a covered individual's contribution to any applicable cost sharing requirement under a policy of accident and sickness insurance, an insurer shall include any cost sharing amounts paid by:

- (1) the covered individual; and
- (2) another person on behalf of the covered individual.

**(i)** The cost sharing calculation required under subsection (h) does not apply to the cost sharing requirement for a prescription drug for which there is a medically appropriate therapeutic equivalent.

**(j)** If, solely due to the application of the cost sharing calculation required under subsection (h), a policy of accident and sickness insurance would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (h) will not apply to the policy of accident and sickness insurance to the extent necessary to avoid disqualification of the policy of accident and sickness insurance.

**(k)** If any requirement of this section is invalid or incapable of being enforced against an insurer or policy of accident and sickness insurance due to a conflict with federal law requirements, this requirement remains in full force and

effect with respect to all insurers, policies of accident and sickness insurance, and situations where no conflict exists.

SECTION 3. IC 27-8-5-34 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 34. (a) As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under a policy of accident and sickness insurance to be paid by or on behalf of a covered individual for a covered prescription drug.

(b) As used in this section, "covered individual" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

(c) As used in this section, "insurer" means an insurer that issues a policy of accident and sickness insurance.

(d) As used in this section, "price protection rebate" means a negotiated price concession that accrues directly or indirectly to an insurer or other party on behalf of the insurer if there is an increase in the wholesale acquisition cost of a prescription drug above a specified threshold.

(e) As used in this section, "rebate" means a discount or other negotiated price concession, including base price concessions (whether described as a "rebate" or otherwise), price protection rebates, and performance based price concessions, that may accrue directly or indirectly or are anticipated to be passed through to an insurer from a manufacturer, dispensing pharmacy, or other party in connection with the dispensing or administration of a prescription drug to reduce the insurer's liability for the prescription drug.

(f) A covered individual's cost sharing requirement for a prescription drug is calculated at the point of sale and must be based on a price that is reduced by an amount equal to at least eighty-five percent (85%) of all rebates received or estimated to be received by the insurer in connection with the dispensing or administration of the prescription drug.

(g) Nothing in this section prohibits an insurer from decreasing a covered individual's cost sharing requirement by an amount greater than the amount required under subsection (f).

(h) Nothing in this section may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this section are invalid or incapable of being enforced against an insurer or policy of accident and sickness insurance due to a conflict with federal requirements, the requirements of this section remain in full force and effect with respect to all insurers, policies of accident and sickness insurance, and situations where no conflict exists.

(i) An insurer may not publish or otherwise reveal information regarding the actual amount of rebates the insurer receives on a product, manufacturer, or pharmacy specific basis. This information is protected as a trade secret (as defined in IC 24-2-3-2), is not a public record, and may not be published or otherwise disclosed directly or indirectly. An insurer shall impose the confidentiality protections of this subsection on any vendor or third party that performs health care or administrative services on behalf of the insurer that

may receive or have access to rebate information.

SECTION 4. IC 27-13-7-28 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 28. (a) As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under an individual contract or a group contract to be paid by or on behalf of an enrollee for a covered health care service.

(b) As used in this section, "health care service" means an item or service furnished to an individual to prevent, alleviate, cure, or heal human illness, injury, or physical disability. The term includes a prescription drug.

(c) As used in this section, "health maintenance organization" has the meaning set forth in IC 27-13-1-19. The term includes a limited service health maintenance organization and a person that administers health care service benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(d) As used in this section, "person" means an individual, entity, natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not for profit corporation, unincorporated organization, government, or governmental subdivision or agency.

(e) As used in this section, "therapeutic equivalent" has the meaning set forth by the federal Food and Drug Administration in 21 CFR 314.3(b).

(f) Except as provided in subsection (g), when calculating an enrollee's contribution to any applicable cost sharing requirement under an individual contract or a group contract, a health maintenance organization shall include any cost sharing amounts paid by:

(1) the enrollee; and

(2) another person on behalf of the enrollee.

(g) The cost sharing calculation required under subsection (f) does not apply to the cost sharing requirement for a prescription drug for which there is a medically appropriate therapeutic equivalent.

(h) If, solely due to the application of the cost sharing calculation required under subsection (f), an individual contract or a group contract would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (f) will not apply to the individual or group contract to the extent necessary to avoid disqualification of the individual or group contract.

(i) If any requirement of this section is invalid or incapable of being enforced against an individual or a group contract or health maintenance organization due to a conflict with federal law requirements, this requirement remains in full force and effect with respect to all health maintenance organizations, individual and group contracts, and situations where no conflict exists.

SECTION 5. IC 27-13-7-29 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 29. (a) As used in this

section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under an individual contract or a group contract to be paid by or on behalf of an enrollee for a covered prescription drug.

(b) As used in this section, "health maintenance organization" has the meaning set forth in IC 27-13-1-19. The term includes a limited service health maintenance organization and a person that administers health care service benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(c) As used in this section, "price protection rebate" means a negotiated price concession that accrues directly or indirectly to a health maintenance organization or other party on behalf of the health maintenance organization if there is an increase in the wholesale acquisition cost of a prescription drug above a specified threshold.

(d) As used in this section, "rebate" means a discount or other negotiated price concession, including base price concessions (whether described as a "rebate" or otherwise), price protection rebates, and performance based price concessions, that may accrue directly or indirectly or are anticipated to be passed through to a health maintenance organization from a manufacturer, dispensing pharmacy, or other party in connection with the dispensing or administration of a prescription drug to reduce the health maintenance organization's liability for the prescription drug.

(e) An enrollee's cost sharing requirement for a prescription drug is calculated at the point of sale and must be based on a price that is reduced by an amount equal to at least eighty-five percent (85%) of all rebates received or estimated to be received by the health maintenance organization in connection with the dispensing or administration of the prescription drug.

(f) Nothing in this section prohibits a health maintenance organization from decreasing an enrollee's cost sharing requirement by an amount greater than the amount required under subsection (e).

(g) Nothing in this section may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this section are invalid or incapable of being enforced against a health maintenance organization or individual or group contract due to a conflict with federal requirements, the requirements of this section remain in full force and effect with respect to all health maintenance organizations, individual and group contracts, and situations where no conflict exists.

(h) A health maintenance organization may not publish or otherwise reveal information regarding the actual amount of rebates the health maintenance organization receives on a product, manufacturer, or pharmacy specific basis. This information is protected as a trade secret (as defined in IC 24-2-3-2), is not a public record, and may not be published or otherwise disclosed directly or indirectly. A health maintenance organization shall impose the confidentiality protections of this subsection on any vendor

or third party that performs health care or administrative services on behalf of the health maintenance organization that may receive or have access to rebate information.

SECTION 6. [EFFECTIVE JANUARY 1, 2021] (a) IC 27-2-9.1, as added by this act, applies to a health plan that is issued, entered into, delivered, amended, or renewed after December 31, 2020.

(b) IC 27-8-5-33 and IC 27-8-5-34, each as added by this act, apply to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after December 31, 2020.

(c) IC 27-13-7-28 and IC 27-13-7-29, each as added by this act, apply to an individual contract or a group contract that is entered into, delivered, amended, or renewed after December 31, 2020.

(d) This SECTION expires January 1, 2024.

(Reference is to SB 160 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Health and Provider Services.

BRAY, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 187, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

#### COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 194, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

#### SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 3 Senator Doriot

Recognizing the Boys and Girls Clubs of Elkhart County.

HCR 5 Senators Bray and Lanane

To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

HCR 6 Senators Bray and Lanane

To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

BRAY

Motion prevailed.

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 3

House Concurrent Resolution 3, sponsored by Senator Doriot:

A CONCURRENT RESOLUTION recognizing the Boys and Girls Clubs of Elkhart County.

*Whereas, Boys and Girls Clubs are open after school and during the summer to provide children and teens with a safe place to go where they can connect with caring adults;*

*Whereas, Boys and Girls Clubs of Elkhart County include the Elkhart Club, Goshen Club, Middlebury Club, and Nappanee Club;*

*Whereas, The opening of the Goshen Boys Club in Goshen, Indiana, marked the beginning of Boys and Girls Clubs of Elkhart County in 1956;*

*Whereas, The Boys and Girls Clubs of Elkhart County serve more than 1,500 youth a day between the ages of six and 18;*

*Whereas, Professional staff and volunteers use a combination of locally developed programs, and those developed and tested nationally by Boys and Girls Clubs of America, to address academic success, good character and citizenship, and healthy lifestyles;*

*Whereas, The Boys and Girls Clubs of Elkhart County have partnered with Ivy Tech Community College to provide educational opportunities in professional development and job-skills training;*

*Whereas, The joint program known as "etc. PROGRAM" provides club members in grades eight through 12 with experience in resume writing, interviewing, career exploration, job-shadowing, and job searching;*

*Whereas, Completion of the program provides club members with a portfolio that includes letters of recommendation, career evaluations, employment training certificates, and a guaranteed interview with a local business partner;*

*Whereas, The partnership allows children and young men and women the opportunity to explore their interests and take steps toward achieving future goals in higher education, trade schools, and full-time employment;*

*Whereas, The leaders of the Boys and Girls Clubs of Elkhart County use their experience and programs to inspire and help revitalize chapters around Indiana;*

*Whereas, More than 130,000 youth were served in Indiana during 2019 as members of a Boys and Girls Club or through community outreach sponsored by a club in their community, according to estimates provided by the Indiana Alliance of Boys and Girls Clubs; and*

*Whereas, The Boys and Girls Clubs of Elkhart County work tirelessly to fulfill and succeed at their mission to inspire and empower young people, especially those in need, and to help young Hoosiers reach their full potential as productive, caring, and responsible citizens: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly recognizes the Boys and Girls Clubs of Elkhart County for their contributions in the local community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the Boys and Girls Clubs of Elkhart County.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

### House Concurrent Resolution 5

House Concurrent Resolution 5, sponsored by Senators Bray and Lanane:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 7 p.m. on Tuesday, January 14, 2020, to receive the Governor's message that will be given in compliance with Article 5, Section 13 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

### House Concurrent Resolution 6

House Concurrent Resolution 6, sponsored by Senators Bray and Lanane:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 2 p.m. on Wednesday, January 15, 2020, to receive the Chief Justice's message which will be given in compliance with Article 7, Section 3 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

### Senate Resolution 1

Senate Resolution 1, introduced by Senator Bray:

A SENATE RESOLUTION honoring Senator Randy Head upon his retirement from the Indiana Senate.

*Whereas, Senator Randy Head has faithfully and honorably served the constituents of Senate District 18, encompassing all or parts of Carroll, Cass, Fulton, Kosciusko, Marshall, Miami, Pulaski, and Wabash counties, since being elected in 2008;*

*Whereas, During his tenure, Senator Head served as the Chair of several committees, including the Senate Committees on Local Government, Civil Law, and Judiciary, and as a member of Appropriations, Commerce and Technology, Corrections, Criminal, and Civil Matters, Education and Career Development, Elections, Family and Children Services, Health and Provider Services, Public Policy, Rules and Legislative Procedure, Tax and Fiscal Policy, and Utilities;*

*Whereas, Senator Head focused on several important issues, including protecting children by authoring several laws that increased penalties and eliminated loopholes for child abusers and those who create and distribute child pornography;*

*Whereas, Senator Head spearheaded efforts during the 2019 session addressing school bus safety, which increased penalties for drivers who ignore school bus laws and prevented children from having to cross high-speed roads to board the bus;*

*Whereas, In an effort to curb the drug and opioid epidemic, Senator Head authored SEA 80 in 2016, which gave pharmacists discretion to deny sales of pseudoephedrine products if the pharmacist suspects it will be used to make methamphetamine, and authored additional legislation that requires continuing education for opioid prescribers;*

*Whereas, Senator Head was awarded several awards, including the Indiana Judges Association Champion of Justice Award, the Children's Coalition of Indiana's Legislation Champion for Children Award, and the Indiana Suicide Prevention Conference Legislator of the Year Award;*

*Whereas, Upon retirement, Senator Head will become the Chief Deputy Prosecutor in Pulaski County; and*

*Whereas, Senator Head's expertise in many fields, leadership, and unquestioned integrity will be greatly missed within the Indiana Senate and throughout the Statehouse: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana:*

SECTION 1. That the Indiana Senate honors Senator Randy Head upon his retirement and thanks him for his years of service to the Indiana Senate and Senate District 18.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Randy Head and his wife, Lisa.

11:26 a.m.

The Chair declared a recess until the fall of the gavel.

### RECESS

The Senate reconvened at 11:30 a.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote.

### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 3 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 3 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS  
Principal Clerk of the House

### MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 5 and 6 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS  
Principal Clerk of the House

### SENATE BILLS ON SECOND READING

#### Senate Bill 2

Senator Raatz called up Senate Bill 2 for second reading. The bill was read a second time by title.

SENATE MOTION  
(Amendment 2-1)

Madam President: I move that Senate Bill 2 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT TO amend the Indiana Code concerning education.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-19-3-17, AS ADDED BY P.L.186-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) As used in this section, "foster care" has the meaning set forth in IC 31-9-2-46.7.

(b) As used in this section, "foster care youth" means students in foster care.

(c) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(d) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on foster care youth educational outcomes that includes the following:

(1) The annual graduation rate of foster care youth, including the following information:

(A) The graduation rate for each of the following:

(i) Foster care youth who received a graduation waiver under IC 20-32-4-4.

(ii) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of foster care youth who received each type of diploma.

(2) The adjusted cohort graduation rate for foster care youth, including the adjusted cohort graduation rate for each of the following:

(A) Foster care youth who received a graduation waiver under IC 20-32-4-4.

(B) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage for each of the following:

(A) Foster care youth who were promoted to the next grade level at the end of the school year.

(B) Foster care youth who were retained in the same grade level for the next school year.

(C) Foster care youth who were suspended during the school year.

(D) Foster care youth who were expelled during the school year.

(E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible foster care youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.

(5) The number and percentage of foster care youth who passed the reading skills evaluation administered under

IC 20-32-8.5-2.

(6) The number and percentage of foster care youth enrolled in schools, disaggregated by the category or designation of the school under ~~IC 20-31-8-3~~. **IC 20-31-8.**

(7) The number and percentage of foster care youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(e) Not later than June 30, 2019, the department shall:

(1) after consulting with the department of child services, develop a remediation plan concerning foster care youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The department of child services.

(C) The legislative council in an electronic format under IC 5-14-6.

(f) Before April 1, 2019, and before April 1 each year thereafter, the department shall submit the report described in subsection (d) to the following:

(1) Department of child services.

(2) Legislative council in an electronic format under IC 5-14-6.

SECTION 2. IC 20-19-3-18, AS ADDED BY P.L.186-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(b) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on homeless youth educational outcomes that includes the following:

(1) The annual graduation rate of homeless youth, including the following information:

(A) The graduation rate for each of the following:

(i) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of homeless youth who received each type of diploma.

(2) The adjusted cohort graduation rate for homeless youth, including the adjusted cohort graduation rate for each of the following:

(A) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage of each of the following:

(A) Homeless youth who were promoted to the next grade level at the end of the school year.

(B) Homeless youth who were retained in the same grade level for the next school year.

(C) Homeless youth who were suspended during the school year.

(D) Homeless youth who were expelled during the school year.



(E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.

(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under ~~IC 20-31-8-3~~ **IC 20-31-8**.

(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(c) Not later than August 31, 2019, the department shall:

(1) develop a remediation plan concerning homeless youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The Indiana housing and community development authority established by IC 5-20-1-3.

(C) The legislative council in an electronic format under IC 5-14-6.

(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:

(1) The Indiana housing and community development authority.

(2) The legislative council in an electronic format under IC 5-14-6.

SECTION 3. IC 20-19-4.1-5, AS ADDED BY P.L.143-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The panel shall study the topic of aligning school accountability with graduation pathway requirements under IC 20-32-4-1.5(b)(1). ~~and recommend new indicators of school performance to replace measures or indicators established under IC 20-31-8-5.4~~. On or before October 30, 2019, the panel shall submit recommendations to the general assembly in an electronic format under IC 5-14-6 and to the state board.

(b) When reviewing indicators the panel shall consider including:

(1) postsecondary preparation indicators aligned to graduation pathways requirements, including the graduation rate;

(2) an on-track indicator or indicators based upon student credits; and

(3) postsecondary outcomes.

SECTION 4. IC 20-24-2.2-2.5, AS AMENDED BY P.L.211-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) If the state board grants a petition request under section 2 of this

chapter, the state board shall:

(1) hold a hearing; and

(2) implement one (1) or more of the following actions:

(A) Require the implementation of a charter school improvement plan.

(B) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school. The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

(C) Prohibit or limit the enrollment of new students in the charter school.

(D) Cancel the charter between the authorizer and organizer.

(E) Order the closure of the charter school at the end of the current school year.

A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.

(b) In determining which action to implement under subsection (a)(2), the state board shall consider the following:

(1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.

(2) High mobility of the student population resulting from the specific purpose of the charter school.

(3) Annual improvement in the performance of students enrolled in the charter school, as measured by ~~IC 20-31-8-1~~, **IC 20-31-8**, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

SECTION 5. IC 20-24-11-1, AS AMENDED BY P.L.280-2013, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This section does not apply to an existing public elementary or secondary school that the governing body of the school corporation in which the school is located has scheduled for closure.

(b) An existing public elementary or secondary school may be converted into a charter school if all of the following conditions apply:

(1) At least fifty-one percent (51%) of the parents of students who attend the school have signed a petition requesting the conversion, which must be completed not later than ninety (90) days after the date of the first signature.

(2) The school has been placed in either of the two (2) lowest categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for two (2) consecutive years.

(3) The governing body votes to convert an existing school within the school corporation.

(c) Notwithstanding subsection (b), if a governing body operates a school that has been placed in either of the two (2) lowest categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for four (4) consecutive years, the governing body may not serve as that charter school's authorizer.

(d) A conversion charter school shall continue to comply with all legal requirements concerning student diversity and treatment

of children with special needs and accept all students who attended the school before its conversion and who wish to attend the conversion charter school. If any space remains, any student in Indiana may attend the conversion charter school.

SECTION 6. IC 20-24-13-4, AS ADDED BY P.L.213-2015, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. The state board shall, without an application being made, make an annual grant to a school if the school is one (1) of the following:

- (1) A charter school in its first or second year of operation.
- (2) A charter school that was placed in **one (1) of the "A", "B", or "C" category or designation of performance established under ~~IC 20-31-8-3~~ three (3) highest categories or designations of school performance under IC 20-31-8** for the most recently completed school year.
- (3) A charter school that does not receive a category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.
- (4) A school that has a majority of students with developmental, intellectual, or behavioral challenges.
- (5) An innovation network school described in section 1(a)(2) of this chapter.

SECTION 7. IC 20-24-13-5, AS AMENDED BY P.L.118-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section applies to a charter school that does not qualify for a grant under subsection (c). Each year, such a charter school may apply for an annual grant under this chapter.

(b) The application under subsection (a) must be submitted after July 1 and before September 1 of a state fiscal year for a grant that is requested to be made during that state fiscal year.

(c) The state board shall determine if the charter school is placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches. Except as provided in subsection (d), if the charter school has been placed in the same or a better category or designation of performance, the state board shall make the grant to the charter school.

(d) If a charter school:

- (1) does not qualify for a grant under section 4 of this chapter; and
- (2) for two (2) consecutive years has not been placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches;

the charter school is not eligible for a grant, unless the charter school is placed in the ~~"C"~~ **third highest** category or designation of performance or better established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

SECTION 8. IC 20-31-8-1 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 1. (a) The performance of a school's students on the statewide assessment program test and other assessments recommended by the department of education and

approved by the state board are the primary and majority means of assessing a school's improvement.

(b) The department of education shall examine and make recommendations to the state board concerning:

- (1) performance indicators to be used as a secondary means of determining school progress;
- (2) expected progress levels; continuous improvement measures; distributional performance levels; and absolute performance levels for schools; and
- (3) an orderly transition from the performance based accreditation system to the assessment system set forth in this article.

(c) The department of education shall consider methods of measuring improvement and progress used in other states in developing recommendations under this section.

(d) The department of education may consider:

- (1) the likelihood that a student may fail a graduation exam (before July 1, 2022) or fail to meet a postsecondary readiness competency established by the state board under ~~IC 20-32-4-1.5(c)~~ and require a graduation waiver under ~~IC 20-32-4-4~~, ~~IC 20-32-4-4.1~~, or ~~IC 20-32-4-5~~; and
- (2) remedial needs of students who are likely to require remedial work while the students attend a postsecondary educational institution or workforce training program;

when making recommendations under this section.

SECTION 9. IC 20-31-8-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 2. (a) In addition to scores on the statewide assessment program test and other assessments, the department shall use the performance indicators developed by the state board and the benchmarks and indicators of performance in each school corporation's annual performance report as a secondary means of assessing the performance of each school and school corporation.

(b) The department shall assess school performance in the following manner:

- (1) Compare the academic performance and growth of the individual students in each school and each school corporation with the prior academic performance and growth of the individual students in the school or school corporation and not to the performance of other schools or school corporations.
- (2) Compare the results in the annual report under ~~IC 20-20-8~~ with the benchmarks and indicators of performance established in the plan for the same school.
- (3) Compare the results for a school by comparing each student's results for each grade with the student's prior year results, with an adjustment for student mobility rate.
- (4) Compare the results for a school with the state average and the ninety-fifth percentile level for all assessments and performance indicators.

SECTION 10. IC 20-31-8-3 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.

(b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established

under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.

(c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using statewide assessment scores as a means of assessing school performance.

(d) In developing metrics for the categories established under subsection (a), the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students.

SECTION 11. IC 20-31-8-4, AS AMENDED BY P.L.287-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The state board shall place each school in a category or designation of school performance once annually based on the department's findings from the assessment of performance and academic growth under section 2 of this chapter: pursuant to the department's consolidated state plan approved by the United States Department of Education in accordance with the federal Every Student Succeeds Act (ESSA) 20 U.S.C. 6311.

(b) The state board may place a school in a category or designation of school performance only if:

- (1) the department has provided each school the opportunity to review, add to, or supplement the data, and to correct any errors in the data; and
- (2) the state board's staff has had an opportunity to review and analyze the school corporation, school, and student level data.

(c) Based on procedures adopted by the state board, a school corporation or school that focuses primarily on providing an academic program for students with developmental, intellectual, or behavioral challenges may petition the state board for review of the school corporation's or school's category or designation of school performance placement based on objective factors that the school corporation or school considers relevant because the annual assessment data does not accurately reflect, as applicable, school performance, growth, or multiple measures. Objective factors include:

- (1) significant demographic changes in the student population;
- (2) errors in data; or
- (3) other significant issues.

After considering the petition for review, the state board may direct the department to revise the category or designation assigned to the school corporation or school, including assigning a "null" or "no letter grade" category or designation to the school corporation or school. The state board may grant the "null" designation for multiple years.

(d) (c) The state board may obtain assistance from another entity or, with the approval of the legislative council, the legislative services agency, to ensure the validity and reliability of the performance category or designation placements calculated by the department. under section 2 of this chapter. The department shall provide all the data necessary to complete those calculations to the legislative services agency or to an entity designated by the state board.

SECTION 12. IC 20-31-8-4.5 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 4.5: In addition to other benchmarks, performance indicators, and accountability standards developed under this article, the state board shall develop alternative benchmarks, performance indicators, and accountability standards to be used in the assessment of schools that focus primarily on providing an academic program for students with developmental, intellectual, or behavioral challenges.

SECTION 13. IC 20-31-8-4.6 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 4.6: (a) If a school corporation or a charter school enters into an agreement with an eligible school (as defined in IC 20-51-1-4.7) to provide dropout recovery educational services for an at-risk student who is enrolled at a public school, the student may not be included in the calculation of the public school's category or designation of school performance.

(b) The state board shall adopt rules under IC 4-22-2 and any guidelines necessary to carry out this section.

SECTION 14. IC 20-31-8-5.4 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 5.4: (a) Not later than November 15, 2013, the state board shall establish new categories or designations of school performance under the requirements of this chapter to replace 511 IAC 6.2-6. The new standards of assessing school performance:

- (1) must be based on a measurement of individual student academic performance and growth to proficiency; and
- (2) may not be based on a measurement of student performance or growth compared with peers.

511 IAC 6.2-6 is void on the effective date of the emergency or final rules adopted under this section.

(b) After July 1, 2013, the state board:

- (1) shall adopt rules under IC 4-22-2; and
- (2) may adopt emergency rules in the manner provided in IC 4-22-2-37.1;

to implement this chapter.

(c) An emergency rule adopted under subsection (b) expires on the earlier of:

- (1) November 15, 2014; or
- (2) the effective date of a rule that establishes categories or designations of school improvement described in this section and supersedes the emergency rule.

(d) Before beginning the rulemaking process to establish new categories or designations of school improvement, the state board shall report to the general assembly the proposed new categories or designations in an electronic format under IC 5-14-6.

SECTION 15. IC 20-31-8-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 6: (a) This section applies to a school that has appealed the school's placement in a category or designation under section 4 of this chapter.

(b) If as a result of an appeal a school's placement in a category or designation under section 4 of this chapter changes, the department shall:

- (1) change the category or designation in the department's records;
- (2) notify the school of the change; and
- (3) disseminate information concerning the change in the school's placement in the same manner as information concerning the school's original placement was disseminated.

SECTION 16. IC 20-31-8-10 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 10. (a) Except as otherwise provided in this section, if requested by a school, the department may place the school in a "null" or "no letter grade" category for purposes of this chapter for the first three (3) consecutive years of operation of the school:

(b) Subject to subsection (c), an innovation network school that reconfigures an existing school must apply to the state board, in a manner prescribed by the state board, to request to receive a "null" or "no letter grade" for the reconfigured school during the school's first three (3) consecutive years of operation by an innovation network team:

(c) In order to qualify for a "null" or "no letter grade" under subsection (b), an innovation network school must clearly demonstrate:

- (1) a significant change in educational philosophy from the existing school and that the reconfiguration of the school is not being made to avoid accountability; or
- (2) any other item that the state board finds appropriate.

The state board shall adopt rules under IC 4-22-2 to establish criteria that the state board may consider in determining whether to grant an innovation network school's request under subsection (b) and this subsection:

(d) Subject to subsection (e), if the department used student growth as the state board's exclusive means to determine an:

- (1) innovation network school's category or designation of school improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019 school year; or
- (2) innovation network charter school's category or designation of school improvement under IC 20-25.7-5-2(d)(3) for the 2018-2019 school year;

the department shall, beginning with the 2019-2020 school year and unless an innovation network school or innovation network charter school requests otherwise, place the innovation network school or the innovation network charter school, whichever is applicable, in a "null" or "no letter grade" category for purposes of this chapter for not more than the number of school years determined for the innovation network school or innovation network charter school under subsection (e) consecutively. This subsection expires July 1, 2023.

(e) Each innovation network school described in subsection (d)(1) and each innovation network charter school described in subsection (d)(2) may not be placed in a "null" or "no letter grade" category under subsection (d) for more than the number of years that equal the result of:

- (1) three (3) school years; minus
- (2) the number of school years that student growth was used

as the state board's exclusive means to determine the category or designation of school improvement for the innovation network school or innovation network charter school.

This subsection expires July 1, 2023.

(f) The department shall post the proficiency and growth scores of an innovation network school, an innovation network charter school, or a school described in subsection (a) on the department's Internet web site for each year the innovation network school, innovation network charter school, or school receives a "null" or "no letter grade" under this section.

SECTION 17. IC 20-49-9-8, AS AMENDED BY P.L.118-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) A school qualifies for an advance under this chapter if the school is one (1) of the following:

- (1) A charter school in its first or second year of operation.
- (2) A charter school that was placed in **one (1) of the "A", "B", or "C" category or designation of three (3) highest categories or designations of school** performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.
- (3) A charter school that does not receive a category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.
- (4) A school that has a majority of students with developmental, intellectual, or behavioral challenges.
- (5) An innovation network school described in section 1(2) of this chapter.

(b) If a charter school does not qualify for an advance under subsection (a), the state board shall determine if the charter school is placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches. Except as provided in subsection (c), if the charter school has been placed in the same or a better category or designation of performance, the state board shall make the advance to the charter school.

(c) If a charter school:

- (1) does not qualify for an advance under subsection (a); and
- (2) for two (2) consecutive years has not been placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches;

the charter school is not eligible for an advance, unless the charter school is placed in the **"C" third highest** category or designation of performance or better established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

SECTION 18. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7; and

(3) meets at least one (1) of the following conditions:

(A) The individual is:

- (i) a student with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34; and
- (ii) a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

(B) The individual is:

- (i) an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under ~~IC 20-31-8-4 (has been assigned an "F" grade);~~ **IC 20-31-8;** and
- (ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under ~~IC 20-31-8-4.~~ **IC 20-31-8.**

(C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and the individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.

(D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and satisfies either of the following:

- (i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3

or a choice scholarship under IC 20-51-4.

(ii) The individual or a sibling of the individual receives for the first time after June 30, 2013, a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(E) Subject to IC 20-51-4-2.7, the individual:

- (i) received an early education grant under IC 12-17.2-7.2;
- (ii) used the grant described in item (i) to attend a prekindergarten program at an eligible school;
- (iii) continues to meet the income eligibility requirements the individual was required to meet to receive an early education grant under IC 12-17.2-7.2; and
- (iv) continues to attend the eligible school at which the individual attended a prekindergarten program as described in item (ii).

SECTION 19. IC 20-51-1-4.7, AS AMENDED BY P.L.242-2017, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.7. "Eligible school" refers to a public or nonpublic elementary school or high school that:

- (1) is located in Indiana;
- (2) requires an eligible choice scholarship student to pay tuition or transfer tuition to attend;
- (3) voluntarily agrees to enroll an eligible choice scholarship student;
- (4) is accredited by either the state board or a national or regional accreditation agency that is recognized by the state board;
- (5) administers the statewide assessment program;
- (6) is not a charter school or the school corporation in which an eligible choice scholarship student has legal settlement under IC 20-26-11; and
- (7) submits to the department only the student performance data required for a category designation under ~~IC 20-31-8-3.~~ **IC 20-31-8.**

SECTION 20. IC 20-51-4-7, AS AMENDED BY P.L.108-2019, SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) The department shall administer this chapter.

(b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.

(c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.

(d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.

(e) Each year, the department shall accept applications for

choice scholarship students from:

- (1) March 1 through September 1 for the upcoming school year; and
- (2) November 1 through January 15 for the spring semester of the current school year.

(f) This chapter may not be construed in a manner that would impose additional requirements for approving an application for an eligible school placed in a "null" or "no letter grade" category established under ~~IC 20-31-8-3(b)~~.

(g) (f) The department shall adopt rules under IC 4-22-2 to implement this chapter.

(h) (g) The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.

SECTION 21. IC 20-51-4-9, AS AMENDED BY P.L.86-2018, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Except as provided in subsection (b), the department shall enforce the following consequences for an eligible school that is nonpublic:

(1) If the school is placed in either of the lowest two (2) categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for two (2) consecutive years, the department shall suspend choice scholarship payments for one (1) year for new students who would otherwise use a choice scholarship to attend the school.

(2) If the school is placed in either of the lowest two (2) categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for two (2) consecutive years.

(3) If the school is placed in the lowest category or designation under ~~IC 20-31-8-3~~ **IC 20-31-8** for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for three (3) consecutive years.

(4) Students who:

(A) are currently enrolled at a school described in subdivision (1), (2), or (3); and

(B) qualify for a choice scholarship for the upcoming school year;

may continue to receive a choice scholarship at the school.

(b) An eligible school may submit a request to the state board to waive or delay consequences imposed under subsection (a) for a particular school year. The state board may grant a request to an eligible school that requests a waiver or delay under this subsection if the eligible school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. A waiver or delay granted to an eligible school under this subsection is for one (1) school year only. An eligible school must make an additional request under this subsection to the state board to receive further delay or waiver of consequences imposed under subsection (a).

(c) This section may not be construed to prevent a student enrolled in a school subject to this section from applying for a choice scholarship in the future at another eligible school."

Renumber all SECTIONS consecutively.

(Reference is to SB 2 as printed January 8, 2020.)

MELTON

Motion failed. The bill was ordered engrossed.

#### SENATE MOTION

Madam President: I move that Senate Bill 77, assigned to the Senate Committee on Judiciary, be withdrawn from further consideration by the Senate.

MESSMER

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breau, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Resolution 1.

BRAY

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 2.

RAATZ

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Jon Ford be added as third author of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

#### SENATE MOTION

Madam President: I move that Senator Doriot be added as second author and Senators Garten, J.D. Ford, and Niezgodski be added as coauthors of Senate Bill 10.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Spartz be added as second author and Senator Mrvan be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Alting be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 16.

BOHACEK

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second author of Senate Bill 20.

GASKILL

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Garten be added as second author and Senators Doriot and Niezgodski be added as coauthors of Senate Bill 25.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 25.

BOOTS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 28.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 39.

FREEMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Leising be added as third author and Senator Tomes be added as coauthor of Senate Bill 44.

BECKER

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 45.

J.D. FORD

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 46.

FREEMAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Crider be added as second author and Senator Garten be added as third author of Senate Bill 48.

MERRITT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Buck be added as coauthor of Senate Bill 55.

DORIOT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 57.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 59.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Becker be added as third author of Senate Bill 59.

LEISING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Merritt be added as second author and Senator Garten be added as third author of Senate Bill 61.

CHARBONNEAU

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 63.

RUCKELSHAUS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 69.

SANDLIN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Crane be added as third author, and Senator Gaskill be added as coauthor of Senate Bill 74.

TOMES

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author, Senator Becker be added as third author, and Senators Leising and Glick be added as coauthors of Senate Bill 94.

ALTING

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 100.

DORIOT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 100.

DORIOT

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 103.

STOOPS

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 114.

TALLIAN

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Lanane be removed as author of Senate Bill 127 and Senator Breaux be substituted therefor.

LANANE

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 143.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Garten be added as third author and Senators Messmer and Merritt be added as coauthors of Senate Bill 144.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senators Grooms, Jon Ford, Koch, Kruse, and Freeman be added as coauthors of Senate Bill 144.

ZAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 160 and Senator Bohacek be substituted therefor.

BRAY

Motion prevailed.

## SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 181.

SANDLIN

Motion prevailed.



SENATE MOTION

Madam President: I move that Senator Mishler be added as second author and Senator Rogers be added as third author of Senate Bill 187.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 217.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author, Senator Perfect be added as third author, and Senator Ruckelshaus be added as coauthor of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 267.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 13, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 11:58 a.m.

JENNIFER L. MERTZ  
Secretary of the Senate

SUZANNE CROUCH  
President of the Senate